IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

FIRST APPEAL NO.1195 OF 2005

OFFICE NOTES, OFFICE MEMORANDUM OF CORAM, APPEARANCES, COURT'S ORDERS OR DIRECTIONS AND REGISTRAR'S ORDERS	COURT'S OR JUDGES ORDERS

Shri R.M.Purandare for the Appellant.
Shri Jayesh Bhat for the Respondent No.3.

CORAM : A. S. OKA, J.
DATE : JANUARY 31, 2007.

P.C.:

1. Heard learned counsel appearing for the Appellant. In the Appeal, exception has been taken to order passed on an Application under section 72 of the Bombay Public Trust Act, 1950. Therefore, Appeal will lie only if substantial question of law arises. The change reports filed by both the parties were rejected. Thereafter, a fresh election was held on 29th June, 2003 and change report submitted on the basis of the said election has been accepted. Therefore, this Appeal which relates to rejection of the change report earlier submitted by the Appellant has really become academic. The learned Judge of the City Civil Court has granted liberty to the Appellant to challenge the change report which is filed on the basis of subsequent election. No substantial question of law arises. Appeal is dismissed.

JUDGE